

4N THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DAVID E. KATES,	:	Civil Action No. 3:11-CV-0391
	:	
Plaintiff,	:	(Judge Brann)
	:	
v.	:	
	:	
B.A. BLEDSOE,	:	
	:	
	:	(Magistrate Judge Schwab)
Defendant.	:	

**ORDER**

August 14, 2013

**BACKGROUND:**

The undersigned has given full and independent consideration to the detailed July 25, 2013 report and recommendation of Magistrate Judge Susan E. Schwab. ECF No. 199. Plaintiff filed responses to the report and recommendation. ECF Nos. 200 and 201.

Because this Court agrees with Judge Schwab's thorough analysis, and all objections were addressed both by the report and recommendation and a prior Order of the undersigned, ECF No. 194, the Court will not rehash the sound reasoning of the magistrate judge and will adopt the report and recommendation in its entirety.

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

1. United States Magistrate Judge Susan E. Schwab's Report and Recommendation is ADOPTED in full. July 25, 2013, ECF No. 199.
2. Defendants Motion for Summary Judgment is GRANTED. January 15, 2013, ECF No. 171.
3. Plaintiff's Motion for Writ of Mandamus is DENIED as Moot. July 16, 2013, ECF No. 197.
4. Final judgment is entered in favor of defendant and against plaintiff.
5. The action is dismissed with prejudice.
6. The clerk is directed to close the case file.

BY THE COURT:

s/Matthew W. Brann  
Matthew W. Brann  
United States District Judge